

9-14-2011

Question:EVAL: 2011-1181- (b)(6)

The DHX705FMJ is a .224 caliber bullet intended for customers who reload the 5.7x28mm FN cartridge. Since that cartridge can be loaded in both FN carbines and handguns, I'm asking for an official BATF ruling (in writing) on whether the proposed bullet meets the legal definition of armor piercing (AP) under 18 USC Section 921 (a) (17) (B):

The definition of AP ammo is at 18 USC sec. 921(a) (17):
 "(B) The term 'armor piercing ammunition' means-

- (i) a projectile or projectile core which may be used in a handgun and which is constructed entirely (excluding the presence of traces of other substances) from one or a combination of tungsten alloys, steel, iron, brass, bronze, beryllium copper, or depleted uranium; or
- (ii) a full jacketed projectile larger than .22 caliber designed and intended for use in a handgun and whose jacket has a weight of more than 25 percent of the total weight of the projectile.

Bullet Description:

The proposed bullet would be manufactured in three lengths with the following nomenclature: DHX600FMJ (initial jacket length of .600"), the DHX705FMJ (.705"), and the DHX740FMJ (.740"). The bullets have two cores surrounded by a copper jacket that is closed on the tip and has a small opening in the center of the base with exposed lead. The cores are composed of soft lead and Acetal polymer (commercially known as Delrin) in proportions that leave the final bullet weight of 27 grains. The following table describes the component weights (grains) for each version of the bullet:

	DHX600FMJ	DHX705FMJ	DHX740FMJ
Jacket	12.2200	14.6550	15.4250
Acetal core	2.5530	4.1150	4.7437
Lead core	<u>12.2270</u>	<u>8.2300</u>	<u>6.8313</u>
	27.0000	27.0000	27.0000

Obviously these proportions make the jacket more than 25% of the total projectile weight, so I'm asking specifically whether the samples enclosed meet the definition of 'full jacketed' and whether or not a .224" caliber bullet is legally considered larger than ".22 caliber" even though it's commonly included in the 22 caliber family.

Thanks for your reply.

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c/o DHX Bullets
 6479 Inland Shores Dr.
 Mentor, OH 44060
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(b)(6) 9/16/2011
 Only two samples
 were subm: Hed, per
 conversation with
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